

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KATHY DYER and ROBERT DYER,  
Individually and as Representative of the  
Estate of Graham Dyer,  
Plaintiffs,

v.

ALAN GAFFORD,  
Defendant.

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Cause No. 3:15-CV-02638-B

JURY DEMANDED

**JOINT NOTICE OF SETTLEMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now the above Parties who make and file this Joint Notice of Settlement. For same, Defendant would show this Honorable Court the following:

The remaining claim in this matter is an excessive force claim asserted against Defendant Gafford pursuant to the Fourth Amendment. (*See generally*, Court's Docket.) The Parties have agreed upon a settlement which disposes of that claim as well as some – but not all – of the previously dismissed claims. Due to the non-standard nature (leaving some of the dismissed claims unresolved) of the settlement, counsel for the Parties respectfully request a period of 30 days to submit appropriate dismissal papers and any proposed judgment to the Court. Counsel for the Parties further respectfully suggest to the Court that the Feb. 11<sup>th</sup> trial setting and the current Amended Scheduling Order (Court's docket #97) may now be rescinded.

Respectfully submitted,

By: /s/ Joe C. Tooley

**Joe C. Tooley**

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure [as supplemented by the EDF Orders of the Northern District of Texas], on this 07<sup>th</sup> day of January, 2019.

/s/ Joe C. Tooley\_\_\_\_\_